18th July, 1991 and state:

(a) whether it is a fact that first Trade Commission was increased by Government and then survey was ordered to be conducted by Bhatti Committee;

(b) if so, what was the need of this survey and the authority who suggested this survey which have proved useless; and

(c) what steps have been taken by Government to probe the matter?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (c) Since there was an increase in MAPE available to the industry under DPCO, 1987, its benefit without delay was passed on to the trade also by increasing the trade margins. However, the quantum of trade margin being a contentious issue. Bhatti Committee was constituted by Government to undertake a detailed and comprehensive study of the pattern of trade margins in the pharmaceutical industry.

Show cause notice issued by Bombay High Court against M/s. Hoechst

655. SHRIMATI BIJOYA CHAKRAVARTY: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 373 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) what was the deadline fixed by Bombay high court for responding to show cause notices by M/s. Hoechst;

(b) whether the company responded to the notices within the stipulated time, if so, the details thereof;

(c) what are the parts and dates with which the Company did not respond; and

(d) what is the reaction of Governmentt to the situation, with full details of date-wise communication exchanged?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (d) M/s. Hoechst did make available some information and date before the expiry of 8 weeks period stipulated in the Bombay High Court's Order dated the 8th March, 1991. It was, however, noticed that the information supplied by the company did not tally with the one already available with the Government and therefore, the figures needed reconciliation which is being done. The case will be progressed in accordance with the provisions of the DPCO and the directions of the Courts.

Impact of custom duty concessions on Drugs

656. SHRIMATI BIJOYA CHAKRAVARTY: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 397 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) whether it is a fact that Government have no set up to monitor the import of custom dtuy concessions on production and prices of end products;

(b) if so, whether Government have informed the position to the Ministry of Finance;

(c) If so, when and if not, the reasons therefor?

(d) what are the names of bulk drugs and drug intermediates on which custom duty concessions have been given by the Finance Ministry so far during the last two years on the basis of recommendations of Government; and

(e) what are the details of other bulk drugs apart from two where custom duty concessions have been passed on to public and what steps are being taken in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN). (a) to (e) Proposals of customs duty concessions are examined by this Department, before sending any recommendation in this regard to the Ministry of Finance, are taken into account while fixing the prices. The major objective of duty rationalisation is to encourage production from a more basic stage. The question of setting up the requisite mechanism for monitoring the production and prices of and products will be examined and taken up with Ministry of Finance.

(d) The names of bulk drugs and drug intermediates on which customs duty concessions have been given by the Finance Ministry during the last two years are given in the custom notifications published from time to time in the official gazette copies of which are available in the library of Parliament.

Involvement of Prices of Drugs in litigation cases

657. SHRIMATI BIJOYA CHAKRAVARTY: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 399 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) when the prices of formulations and bulk drugs were involved in the litigation case of M/s. Glaxo and M/s. Hoechst fixed under DPCO 1987;

(b) what was the price fixed for each and when each was implemented;

(c) what were the recommended prices of each of these from time to time after the stay granted by the Courts initially in each case;

(d) whether it is a fact that substantial part of liability against both these companies is yet to be assessed; and

(e) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (e) The information will be collected, compiled and laid on the table of the House, as soon as possible.

Prices of Ampicillin Trihydrate and Ampicillin Anhydrous

658. SHRIMATI BIJOYA CHAKRAVARTY: Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 371 given in the Rajya Sabha on 18th July, 1991 and state:

(a) when the prices of formulations of Ampicillin Trihydate, Ampicillin Anhydrous were approved by Government;

(b) what is the gap period between the said approval and 7th Januray, 1991 when the prices were reduced;

(c) whether Government have made assessment of benefit accrued to the producers on account of that lapse;

(d) whether it is a fact that this was the handy work of the concerned officers;

(e) whether Government have ordered any inquiry by an officer not concerned with the work;

(f) if so, the details thereof; and

(g) what are the basis and ground on which Government have come to the conclusion that the delay was not intentional?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (g) The orders of the then Minister were obtained on 25-7-1989 to revise the ceiling prices of formulations based on Ampicillin Trihydrate/Anhydrous. The delay in notifying the prices was examined and it has been found to be a case of negligence by a junior official and there was no material to indicate that there was any malafide intention.

Ban on import of certain drugs

659. SHRI H. HANUMANTHAPPA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that Government have received proposals for the ban on imports of Norfloxacin, Metoprolol Tartarate, Piroxicam and Lorazepam;

(b) if so, when each proposal was received and what action has been taken so far on each;

(c) what is the estimated demand of each drug and what is the total production of each drug during 1990-91; and

(d) what steps are being taken to safeguard the interest of indigenous products and what is Government Policy in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) No, Sir.